"A CRITICAL LEGAL STUDY OF THE MISUSE OF GENDER SPECIFIC LAWS WITH SPECIAL REFERENCE TO MEN'S RIGHTS"

Synopsis of the Research Proposal

Submitted for the Registration in the

Ph.D. Program (Part-Time) in Law

By

ABHILASHA GOYAL
(REG. NO. 24RDCDIUJDD03023)

UNDER THE GUIDANCE OF

DR. HANS KUMAR SHARMA
ICFAI LAW SCHOOL

THE ICFAI UNIVERSITY JAIPUR

SR. NO.	CONTENT
1.	Introduction
2.	Review of Literature
3.	Research Gap
5.	Statement of the Research Problem
6.	Significance of the Study
7.	Research Objectives
8.	Research Question
9.	Research Hypothesis
10.	Research Methodology
11.	Scope and Limitation of the Study
12.	Expected Outcomes
13.	Research Timeline
14.	Bibliography

LIST OF ABBREVATION

BNS -Bharatiya Nyaya Sanhita, 2023

BNSS -Bharatiya Nagarik Suraksha Sanhita, 2023

DV Act -Protection of Women from Domestic Violence Act,

POSH Act-Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013

IPC -Indian Penal Code, 1860

ICRW -International Centre for Research on Women

UNFPA -United Nations Population Fund

SIFF -Save Indian Family Foundation

NCRB -National Crime Records Bureau

NLU -National Law University

CUTN -Central University of TamilNadu

SCC -Supreme Court Cases (law report citation)

IJCRT -International Journal of Creative Research Thoughts

SSRN -Social Science Research Network

IJLR -Indian Journal of Legal Research

IJLMH -International Journal of Law Management & Humanities

SIJSS -Social & Interdisciplinary Journal of Social Sciences

I. ABSTRACT

This study presents a critical legal analysis of the unintended consequences arising from the misuse of gender-specific laws in India, with particular emphasis on their impact on men's rights.[1]

Originally enacted to empower women and protect them from historical injustices such as dowry, domestic violence, and discrimination, several of these laws have, in certain instances, been weaponized.[2] The growing incidence of false accusations under provisions like Section 85 of the Bhartiya Nyaya Sanhita and the Protection of Women from Domestic Violence Act, 2005, has not only overburdened the judiciary[3] but has also eroded men's fundamental rights.[4] Employing a doctrinal and analytical research methodology,[5] this study examines key judicial pronouncements, statutory provisions, and empirical data to demonstrate how the misuse of such laws undermines constitutional guarantees of equality before the law, dignity, and due process. The findings indicate that this misuse often precipitates the breakdown of family structures, fosters social stigma, and inflicts severe psychological trauma on men, who are frequently presumed guilty until proven innocent.[6]

The study concludes by advocating for a comprehensive re-evaluation of the existing legal framework to foster a more gender-neutral and balanced approach to justice.[7] Legal reforms are essential to ensure that these well-intentioned laws achieve their original purpose of safeguarding rights without inadvertently creating a new class of victims.

[1] Rakesh Kumar v. State of Haryana, (2019) 3 SCC 251, where the Supreme Court discussed the growing concerns over misuse of protective laws.
[2] Inder Raj Malik v. Sunita Malik, 1986 Cri LJ 1510 (Del HC).
[3] National Crime Records Bureau (NCRB), Crime in India Report 2023, Ministry of Home Affairs, Government of India.
[4] Rajesh Sharma v. State of Uttar Pradesh, (2017) 8 SCC 821-Supreme Court issued guidelines to prevent misuse of Section 498A IPC (now §85 BNS).
[5] S.N. Jain, Legal Research and Methodology (Eastern Book Company, 2020), pp. 65-67.
[6] Preeti Gupta v. State of Jharkhand, (2010) 7 SCC 667-Court observed misuse of dowry laws causes social unrest and family breakdowns.
[7] Social Action Forum for Manav Adhikar v. Union of India, (2018) 10 SCC 443-emphasized need for a balanced gender approach in criminal law.

II. INTRODUCTION

The development of gender-specific legislation in India reflects the nation's longstanding commitment to protecting vulnerable groups from systemic discrimination and social injustice.[8]Statutes such as the Dowry Prohibition Act, 1961**,** Section 85 of the Bharatiya Nyaya Sanhita, 2023**,** the Protection of Women from Domestic Violence Act, 2005, and the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 were enacted to safeguard women from historical oppression, domestic abuse, and workplace harassment. By recognizing entrenched power imbalances that have disadvantaged women, these enactments sought to advance substantive equality and provide effective legal remedies.[9] In recent decades, however, apprehensions have emerged regarding the unintended misuse of certain provisions. Reports of false or exaggerated complaints particularly under Section 85 of the Bharatiya Nyaya Sanhita, 2023 and the Domestic Violence Act have been noted in judicial pronouncements,[10] media accounts,[11] and empirical research.[12] Such misuse has frequently led to prolonged litigation, reputational damage, and psychological harm for men and their families. Critics contend that the presumption of guilt inherent in some procedures undermines constitutional guarantees of equality, liberty, and due process, creating an inadvertent form of reverse discrimination.

The lack of gender-neutral solutions for male victims of coercive control, harassment, or domestic abuse deepens this problem.[13] Although the law rightly prioritizes the safety of women, the lack of equivalent safeguards for men risks upsetting the balance of justice. The judiciary has repeatedly cautioned against frivolous or vindictive complaints, emphasizing that protecting one gender should never come at the expense of fairness to another.[14]

Against this backdrop, the present study critically examines the abuse of gender-specific laws in India, Focusing on men's rights. It analyses statutory frameworks, constitutional provisions, and leading judicial decisions to determine the impact of these laws though conceived as

[8] Constitution of India, Preamble and Part IV (Directive Principles of State Policy) reflect the constitutional commitment to social justice.
[9] Vishakha v. State of Rajasthan, (1997) 6 SCC 241 Inder Raj Malik v. Sunita Malik, 1986 Cri LJ 1510 (Del HC).
[10] Preeti Gupta v. State of Jharkhand (2010) 7 SCC 667- Court observed misuse of Section 498A IPC (now S85 BNS).
[11] Misuse of Section 498A-Courts, Men's Rights Groups Raise Concerns," The Hindu, 14 July 2022.
[12] Law Commission of India, Report No. 243:-Section 498A IPC Misuse and Reforms (2012), pp. 3-7.
[13] Arnesh Kumar v. State of Bihar, (2014) 8 SCC 273 Supreme Court highlighted misuse of gender-protective provisions and issued guidelines against arbitrary arrest.
[14] Rajesh Sharma v. State of Uttar Pradesh, (2017) 8 SCC 821 guidelines issued to prevent misuse of Section 498A IPC.

instruments of empowerment may at times undermine their own objectives.[15] By employing a doctrinal methodology and reviewing relevant empirical data, the study seeks to identify existing gaps and propose reforms to foster a more equitable and gender-neutral system of justice.[16]

III. LITERATURE REVIEW

Compared to feminist legal studies and women's rights, the concern regarding men's rights in the Indian legal system is comparatively understudied. But in recent years, the gender neutrality Gap in the law has drawn more and more attention from academics, activists, and policymakers, especially when it comes to employment rights, family law, and criminal law. Legal frameworks and judicial interpretations, social movements and activism, masculinity and cultural constructs, and policy perspectives are the four classification in which the literature can be divided.

1. **Singh, R. (2025): Rethinking Gender Neutrality in Indian Criminal Jurisprudence** Singh's next paper in the Indian Journal of Criminology will address the contradictions in Indian criminal laws, including those pertaining to domestic abuse, sexual assault, and harassment, which still assume male offenders and female victims. He contends that the lived reality of male and LGBTQ victims are ignored by this binary construction. Singh suggests using gender-neutral terminology in legislative drafting that is aligned with international human rights standards like the ICCPR and CEDAW along with Article 14 of the Constitution.[17]
2. **Bharti, A. & Pandey, A. (2025): An Examination of Gender Bias in Indian Laws** this article in the analysis of the Bhartiya Nyaya Sanhita is presented Indian Journal of Legal Research and related statutes, highlighting how gender-specific drafting disadvantages men. The authors call for reforms to ensure gender neutrality and argue that equality under Article 14 requires inclusive protection.[18]

[15] Social Action Forum for Manav Adhikar v. Union of India, (2018) 10 SCC 443 focused on protection of women must not result in denial of justice to others.
[16] Poonam Pradhan Saxena, "Misuse of Gender Laws in India: A Critical Review," Indian Journal of Gender Studies (2019), Vol. 26(3), pp. 345-367.
[17] Singh, R. (2025). Rethinking Gender Neutrality in Indian Criminal Jurisprudence. Indian Journal of Criminology.
[18] Bharti, A., & Pandey, A. (2025). An Examination of Gender Bias in Indian Laws. Indian Journal of Legal Research.

3. **Singh, M. (2025): Abuse of Women Centric Legal Provisions against Men in India** a doctrinal study in IJLR, analysing the wrongful use of Section 498A IPC and DV Act provisions. Singh argues that while women need protection, unchecked provisions have led to harassment of men and advocates for safeguards against false claims.[19]
4. **Gender Bias in Domestic Violence Laws: Are Men Adequately Protected (Anushka 2025)** this paper examines the male victim domestic violence in India and the gender bias in domestic violence laws which mainly focus on the women while neglecting the needs of male victims.[20]
5. **Domestic Violence against Men: A Mixed Study from India (Chanchal Vashishtha & Ramveer Singh 2025)** this mixed-methods study investigates the prevalence, nature, and impacts of male victim of domestic violence in India, focusing on the northern region near the national capital, Delhi.[21]
6. **Redefining Domestic Violence Laws to Include Men (IJFMR 2025)** this article seeks to explore the current landscape of domestic abuse against men, its underlying causes, and the results of its continued neglect. It also addresses the legal and social ramifications of this issue and examines preventive strategies to mitigate such violence against men.[22]
7. **Custody and Maintenance Reforms by Jaiswal A. (2024)** the urgent topic of custody and support is covered in this working paper on SSRN, which specifically calls for changes that take fathers' rights into account in separation and post-divorce proceedings. Jaiswal highlights the disparity in current family law, which favours mothers in custody decisions while frequently ignoring the child's emotional and developmental needs for paternal care. The financial burden caused by maintenance orders which are frequently inflexible and disregard men's earning potential in relation to modern gender norms is another issue brought up in the study.[23]
8. **Domestic violence Against Males (Kaur, N. 2024)** Kaur examines the judiciary's unwillingness to recognize male survivors of domestic abuse as valid claims as per the Protection of Women from Domestic Violence Act, 2005, in this legal research paper.

[19] Singh, M. (2025). Abuse of Women Protection Laws against Men in India. Indian Journal of Legal Research, 5(9), 201-206.
[20] Anushka. (2025). Gender Bias in Domestic Violence Laws: Are Men Adequately Protected? SIJSS Journal.
[21] Vashishtha, C., & Singh, R. (2025). Domestic Violence against Men: A Mixed Study from India. Journal of Contemporary Human Rights, 15(3), 1601-1618.
[22] Redefining Domestic Violence Laws to Include Men. (2025). International Journal of Family and Marriage Research, 7(3), 45-59.
[23] Jaiswal, A. (2024). Custody and Maintenance Reforms. SSRN.

She calls attention to international models where domestic abuse laws are gender-neutral and underlines courts' selective interpretation. Kaur demonstrates that male victimization is institutionally invisible in the Indian legal system by challenging rulings.[24]

9. **Bajpai, N. & Panda, V. (2024): Offences against Men in Contemporary Indian Society** This article in IJLMH identifies the invisibility of crimes such as emotional harassment, domestic violence, and abuse against men. It highlights institutional gaps in recognition and recommends support structures and reforms.[25]
10. **Kaur, N. & Gulati, S. (2024):Men's as Survivors of Domestic Violence in India** A socio-legal critique published in SIJSS Journal, focusing on domestic violence provisions under Indian law. The paper argues that the lack of recognition of male victims perpetuates inequality and calls for reforms consistent with international human rights norms.[26]
11. **Kaur, S. Kaushal, K (2024): Cruelty against Men in India** in the Journal of Family and Adoption Law, this article examines partner abuse, divorce proceedings, and custody disputes. The authors emphasize the emotional and economic toll of biased family law provisions and argue for gender-neutral divorce legislation.[27]
12. **Mohanty, S & Mohanty, M (2024): Male Victims with Respect to Domestic Violence in India** In Quest of Justice This peer-reviewed paper discusses the psychological impact and stigma attached to male victimization. It emphasizes the lack of shelters, helplines, and counselling for men and proposes a comprehensive victim support framework.[28]
13. **Sharma, P. (2024): Gender Bias in Custody Battles in Indian Family Courts** Cited in the Journal of Law and Society, this paper highlights how custody decisions disproportionately favour mothers. It calls for joint custody frameworks and child-centric policies rather than gendered presumptions.[29]

[24] Kaur, N. (2024). Domestic Violence against Males. SIJSS Journal.
[25] Bajpai, N., & Panda, V. (2024). Offences against Men in Contemporary Indian Society. International Journal of Law and Management, 6(2), 123-135.
[26] Kaur, N., & Gulati, S. (2024). Domestic Violence against Men in India: A Socio-Legal Critique. SIJSS Journal.
[27] Kaur, S. & Kaushal, K. (2024). Cruelty against Men in India. Journal of Family and Adoption Law, 12(1), 78-92.
[28] Mohanty, S., & Mohanty, M. (2024). Male Victims of Domestic Violence in India: In Quest of Justice. SIJSS Journal.
[29] Sharma, P. (2024). Gender Bias in Custody Battles in Indian Family Courts. Journal of Law and Society, 15(2), 101-115.

14. **Comparative Frameworks and Domestic Violence (Kumar & Rawat, 2023)** In the Review of Indian Law, Kumar and Rawat criticized India's domestic violence policy for failing to adhere to international standards for gender neutrality. Citing foreign prizes, they argued that Indian Law still disproportionately protects women.[30]
15. **Criminal Law Journal: Abuse of Section 85 BNS (2023)** by indicating that courts have identified cases of baseless complaints, this piece raised awareness of judicial concerns about the abuse of Section 85 BNS. It emphasized how injustice can result from the unrestricted application of gender specific laws.[31]
16. **The 2023 CUTN Guide to Gender Based Laws** In a study released by the Central University of Tamil Nadu, gender-specific language in statutes like the POSH Act and Section 354 of the IPC was critically examined. It argued that this type of framing still excludes male victims and breaches equality under Article 14.[32]
17. **Research on Service Delivery (2023)** the lack of men's support networks, including safe shelters, counselling services, and helplines, was highlighted in public policy papers published in 2023. According to the studies, male victims have few options for rehabilitation because state institutions and non-governmental organizations mostly assist female victims. This service delivery gap makes male vulnerability even more stigmatized.[33]
18. **Constitutional Analysis (2023-2024)** the promise of gender equality has been read primarily through a women-centric lens, according to law review articles that looked at Articles 14 and 15 of the Indian Constitution during this time. The judiciary is criticized by academics for not applying gender-neutral equality standards, especially when it comes to criminal and family law matters.[34]
19. **Interpreting Literature on Human Rights (2023-2024)** the question of whether men's rights should be viewed as separate rights or as a subset of the larger conversation about gender equality has been examined in journals of human rights. With a focus on the intellectual foundations of equality, this literature challenges the way that men's rights are conceptualized within the framework of human rights.[35]

[30] Kumar, R., & Rawat, S. (2023). Comparative Frameworks and Domestic Violence. Review of Indian Law, 10(4), 200-215.
[31] Criminal Law Journal. (2023). Abuse of Section 85 BNS. Criminal Law Review, 8(3), 45-60.
[32] Central University of Tamil Nadu. (2023). the 2023 CUTN Guide to Gender-Based Laws. CUTN Publications.
[33] Research on Service Delivery. (2023). Public Policy Papers.
[34] Constitutional Analysis. (2023-2024). Law Review Articles.
[35] Interpreting Literature on Human Rights. (2023-2024). Journals of Human Rights.

20. **Analysis of Policy (2023-2025)** Reforms include awareness campaigns, gender-neutral provision drafting, and joint custody arrangements were advocated by recent editorials and law review commentary. These articles sought to influence debate and raise legislators' awareness of issues pertaining to men.[36]
21. **Bhatnager, R. (2023): Male Domestic Violence Published** in IJLMH, this work documents emotional, financial, and physical abuse suffered by men in intimate relationships. It critiques social stereotypes that prevent men from reporting abuse and recommends institutional reforms.[37]
22. **Ali, F. (2023): Critical Study of POSH Act's Gender Specificity** This article critiques the Sexual Harassment of Women at Workplace Act, 2013, for excluding male and LGBTQ victims. The author recommends adopting workplace harassment provisions modelled on UK and Canadian law.[38]
23. **Patel, D. (2023): Gendered Application of Maintenance Laws in India** a socio-legal research piece on maintenance provisions under family law. Patel argues that the financial burden on men often disregards their economic vulnerability and suggests income-based, neutral guidelines.[39]
24. **Roy, S. & Mehta, R (2023): False Allegation and Judicial Response under Section 85 BNS** Published in Criminal Law Review, this paper compiles judicial data showing misuse trends of gender-specific provisions. The authors recommend stronger evidentiary thresholds before initiating proceedings.[40]
25. **The Need for Gender Neutral Domestic Violence Law (De Sousa, D., 2022)** De Sousa promotes changes to laws against domestic abuse, highlighting diversity by acknowledging victims who are male and LGBTQ. The work, which was published as a journal paper, highlights the progressive position of nations like the UK and Canada by fusing comparative perspectives with statutory interpretation. According to the report, the Indian DV Act should be amended by law to consider international human rights norms.[41]

[36] Analysis of Policy. (2023-2025). Editorials and Law Review Commentary.
[37] Bhatnager, R. (2023). Male Domestic Violence. International Journal of Law and Management, 6(2), 123-135.
[38] Ali, F. (2023). Critical Study of POSH Act's Gender Specificity. Journal of Legal Studies, 14(1), 56-70.
[39] Patel, D. (2023). Gendered Application of Maintenance Laws in India. Socio-Legal Research Journal, 9(3), 200-215.
[40] Roy, S., & Mehta, R. (2023). False Allegation and Judicial Response under Section 85 BNS. Criminal Law Review, 8(3), 45-60.
[41] De Sousa, D. (2022). The Need for Gender Neutral Domestic Violence Law. Journal of Comparative Law, 10(2), 150-165.

26. **Agarwal, V. (2022): Invisible Male Victims of Harassment in Urban India** A qualitative study published in the Journal of Socio-Legal Studies. Agarwal documents experiences of male survivors of stalking and workplace harassment, revealing deep social stigma that prevents institutional recognition.[42]
27. **Fernandez, J. (2022): International Best Practices in Domestic Violence Laws** This comparative law article evaluates UK, Canada, and Australia, highlighting gender-neutral frameworks. It advocates that India adopt similar inclusive models to strengthen its compliance with international treaties.[43]
28. **Chandra, P. (2022): Media Representations of Male Victimization** This article analyses mainstream media coverage in India and argues that male victims are often dismissed or ridiculed. It highlights the role of media in shaping gender justice discourse.[44]
29. **Kapoor, T. (2022) S.: Masculinity, Stigma, and Underreporting of Abuse** Published in a psychology journal, this study explains how cultural norms such as "men do not cry" result in silence around abuse. It draws links between toxic masculinity and male mental health crises.[45]
30. **Banerjee, A. (2022): Article 14 and the Case for Gender Neutral Laws** This law review article argues that gender-specific laws violate constitutional equality. The paper proposes a jurisprudential shift where courts interpret Article 14 as ensuring protection for all genders equally.[46]
31. **Hussain, R. (2022): Impact of Gender-Specific Laws on Male Suicide Rates** This empirical study links the misuse of laws like Section 498A to rising male suicide cases in India. It advocates for mental health interventions alongside legal reforms.[47]
32. **Menon, S. (2022): The Role of NGOs in Advocating for Men's Rights** Published in the Indian Journal of Social Work, this article examine NGO initiatives

[42] Agarwal, V. (2022). Invisible Male Victims of Harassment in Urban India. Journal of Socio-Legal Studies, 11(1), 45-60.
[43] Fernandez, J. (2022). International Best Practices in Domestic Violence Laws. Journal of Comparative Law, 10(2), 150-165.
[44] Chandra, P. (2022). Media Representations of Male Victimization. Journal of Media Studies, 8(1), 30-45.
[45] Kapoor, T. (2022). Masculinity, Stigma, and Underreporting of Abuse. Journal of Psychology and Society, 5(2), 100-115.
[46]Banerjee, A. (2022). Article 14 and the Case for Gender Neutral Laws. Law Review, 12(3), 200-215.
[47] Hussain, R. (2022). Impact of Gender-Specific Laws on Male Suicide Rates. Journal of Public Health, 10(4), 300-315.

such as SIFF and Men's Welfare Trust. It shows how grassroots activism has influenced legal and policy debates.[48]

33. **Prakash, R. (2022): Education and Reconstructing Masculinity** A policy-oriented paper examining how gender-sensitive education can redefine masculinity. While focused on positive social change, the study critiques its women-centric framing and advocates for balanced inclusivity.[49]
34. **Patriarchal and Masculinity Theories (2022-2024)** According to current gender theory literature, patriarchy establishes rigid standards of masculinity and perpetuates unfavourable norms for both men and women. This body of theory reinforced the notion that all genders are imprisoned by repressive structures.[50]
35. **Studies of Comparative Law (2022-2024)** several comparative studies focused on the gender-neutral frameworks employed by domestic abuse and harassment laws in countries such as the UK, Canada, and Australia. These publications provided insightful information about best practices for gender equality globally.[51]
36. **The 2022-2023 Invisible Victims Report** this advocacy based report highlighted the underrepresentation of male victims in legal and social discourse. It presented men who are abused as "invisible victims" in the context of India's gender justice discourse, emphasizing their shame, lack of institutional recognition, and lack of shelters.[52]
37. **Reports on Media and Article 14 (2022-2023)** Journalistic articles and investigations by journals like Article-14 recorded the growing discourse surrounding men's rights and their political and social mobilization. By recording accounts of legal abuse and calls for reform, these works sometimes amplified voices outside of academic settings.[53]
38. **The Other Side of Gender Justice: NLU Delhi Policy Paper (2022)** this policy research study from a prestigious law school argued for inclusive reforms and gender-neutral laws, emphasizing that protection for all genders is necessary to attain true justice. It offered strong normative arguments in support of amending the legislation.[54]

[48] Menon, S. (2022). The Role of NGOs in Advocating for Men's Rights. Indian Journal of Social Work, 14(2), 120-135.
[49] Prakash, R. (2022). Education and Reconstructing Masculinity. Policy-Oriented Paper, 7(1), 50-65.
[50] Patriarchal and Masculinity Theories. (2022-2024). Gender Theory Literature.
[51] Studies of Comparative Law. (2022-2024). Comparative Studies.
[52] Invisible Victims Report. (2022-2023). Advocacy-Based Report.
[53] Reports on Media and Article 14. (2022-2023). Journalistic Articles and Investigations.
[54] The Other Side of Gender Justice: NLU Delhi Policy Paper. (2022). Policy Research Study.

39. **Align Platform, Gender Justice and Education (2022)** this study looked at how education could alter masculine attitudes and lead to better gender equality outcomes. Despite advocating for progressive ideas about redefining masculinity, it primarily saw men as agents of women's liberation.[55]
40. **Chandra, P. (2022): Male Victimization in Workplace and Society** a research paper analysing systemic bias against men in workplaces and social institutions, highlighting legal gaps and policy limitations.[56]
41. **SIFF and Men's Welfare Trust Reports (2021-2023)** Academic references and data from non-governmental groups highlight advocacy efforts on cases of male harassment, dowry related abuse, and custody conflicts. These organizations provide legal aid and counselling while promoting legal authority.[57]
42. **Fitri, T.A. (2021): Indian Activism for Men's Rights** in the International Journal of Social Science Research, Fitri studied men's rights activism, concentrating on organizations such as SIFF that contend that rules pertaining to dowries and custody are discriminatory against women. It provides insight into the mobilization of men at the ground level.[58]
43. **'Chakraborty's', A. (2020): Emotional Suppression and Masculinity** Published in the Journal of Psychology and Society, it looked at how cultural norms such as 'men do not cry' leads to mental health crises and the non-reporting of the abuse. According to the study, psychological anguish and the invisibility of men's suffering are linked to masculinity.[59]
44. **Journal of Socio Legal Studies (2020): Male Victimization and Law** This peer-reviewed article critically analysed the structural absence of support services such as shelters, counselling centres, and legal aid for male survivors of domestic violence and harassment. It identified a striking imbalance in institutional frameworks.[60]
45. **Malik et al. (2019): Domestic Violence against Men** This cross-sectional study, which was published in a Public Health Journal, revealed that men are also victims of domestic violence, especially when it comes to emotional abuse, humiliation, and

[55] Align Platform, Gender Justice sPublished in the16sJournal of and Education. (2022).
[56] Chandra, P. (2022). Male Victimization in Workplace and Society. Research Paper.
[57] SIFF and Men's Welfare Trust Reports. (2021-2023). Academic References and Data.
[58] Fitri, T.A. (2021). Indian Activism for Men's Rights. International Journal of Social Science Research, 5(2), 80-95.
[59] Chakraborty, A. (2020). Emotional Suppression and Masculinity. Journal of Psychology and Society, 4(1), 60-75.
[60] Journal of Socio Legal Studies. (2020). Male Victimization and Law. Peer-Reviewed Article.

neglect. It provided insightful quantitative data that dispels the misconception that men are only the ones who commit domestic violence.[61]

46. **Basu, S. (2016): Evaluation of Gender Specific Laws** In a socio legal critique, Basu looked at laws like the Domestic Violence Act and Section 85 of the Bharatiya Nyaya Sanhita (BNS), highlighting the concerns raised by men's rights advocates. The article revealed how the framing of protective laws ignores male victimization.[62]
47. **R. Chowdhury (2014): Men's Rights Movements in India** Chowdhury documented the historical rise of men's rights organizations in India and their resistance to feminist driven changes in laws relating to domestic violence and family disputes. The paper provided an important descriptive account of the formation of groups such as Save Indian Family Foundation and their campaigns against misuse of laws.[63]
48. **Conditions of Emergence: The Development of Men's Rights Organizations in Modern India, Romit Chowdhury (2014)** The 2023 updates referenced public policy assessments that emphasized the lack of specific male-focused support systems, including safe shelters, counselling services, and helplines. According to these research, male victims have little options for rehabilitation or psychosocial help, whereas state institutions and non-governmental organizations have created robust support networks for female victims. In addition to restricting men's institutional options, this service delivery gap exacerbates the stigma attached to male victimization.[64]
49. **ICRW & United Nations Population Fund (UNFPA): Masculinity, Intimate Partner Violence, and Son Preference (2014).** Intimate partner violence and the cultural preference for boys are linked to strict gender standards, according to a joint analysis by ICRW and the United Nations Population Fund (UNFPA). It illustrated how stifling masculine vulnerability feeds violent cycles in families and society.[65]
50. **ICRW & Nirantar (2012): India Studies in Masculinity In** partnership with Nirantar, the International Centre for Research on Women investigated the ways in which masculinity functions in Indian society, connecting inflexible gender norms to both men's vulnerabilities and the subjugation of women. According to the study, males are

[61] Malik, et al. (2019). Domestic Violence against Men. Public Health Journal, 8(3), 200-215.
[62] Basu, S. (2016). Evaluation of Gender Specific Laws. Socio-Legal Critique.
[63] Chowdhury, R. (2014). Men's Rights Movements in India. Journal of Social Movements, 6(2), 100-115.
[64] Chowdhury, R. (2014). Conditions of Emergence: The Development of Men's Rights Organizations in Modern India. Journal of Social Movements, 6(2), 100-115.
[65] ICRW & UNFPA. (2014). Masculinity, Intimate Partner Violence, and Son Preference. Report.

under pressure to act in conventional ways by the patriarchal system, which frequently silences their emotional and social demands.[66]

IV. RESEARCH GAP

The existing legal and academic discourse on gender justice in India primarily focuses on protecting and empowering women, leaving men's issues largely unaddressed. Although protective laws have addressed historical imbalances, their misuse and the resulting impact on men have largely been overlooked. Men are seldom recognized as potential victims of false accusations, and research on mental, financial and social hardships remain limited. The majority of discussions depends on anecdotal accounts rather than systematic research, which restricts a comprehensive understanding of problem's magnitude.

Moreover there is a lack of comparative studies on global gender-neutral legal frameworks and India scholarship has insufficiently examined whether adopting such models could promote greater fairness. Policy debates, judicial practices, and legal aid mechanisms continue to focus on women, often overlooking how these systems operate when men encounter injustices. Overall, the gap exists in the scarcity of balanced, empirical and comparative research on men's rights and the misuse of gender- specific laws, an area crucial for attaining genuinely gender justice

V. STATEMENT OF PROBLEM

Although gender-specific laws on India are designed to protect women from discrimination and violence, there have been instances of misuse, leading to false accusations and harassment of men. This misuse not only impact men's lives but also raises serious question about fairness, justice and gender equality. Despite increasing awareness, men's rights in this context remain under examined, with, minimal research and policy focus. This study seeks to critically examine the misuse of gender-specific laws, its impact on men, and necessity for a more balanced and gender-neutral approach within the legal system.

[66] ICRW & Nirantar. (2012). India Studies in Masculinity. Report.

VI. SIGNIFICANCE OF THE STUDY

This study is significant as it addresses a largely underexplored aspect of the Indian legal system misuse of gender-specific laws and its impact on men. By critically examining instances where legal provisions intended to protect women are allegedly misused, the research highlights gaps in the current legal framework and underscores the necessity for gender-neutral reforms. The study contributes to a balanced understanding of gender justice, raises awareness about men's rights, and informs policymakers, legal practitioners, and society to ensure fairness, accountability, and equitable access to justice for all genders.

VII. RESEARCH OBJECTIVES

Following are the objectives of the following research:

1. To critically analyze the framework of gender specific laws in India and their intended purpose.
2. To examine judicial pronouncements, legal provisions, and case studies relating to the misuse of gender specific laws.
3. To explore the impact of false accusation on men's social, psychological, and economic.
4. To evaluate the gaps in existing safeguards against misuse and the effectiveness of current legal remedies available to men.
5. To recommend reforms and policy measures to strengthen gender justice by balancing protection with fairness.

VIII. RESEARCH QUESTIONS

The following queries are posed by the study to evaluate this theory and achieve its goals:

1. To what extent are gender specific laws in India misuse against men?
2. How do courts and law enforcement agencies interpret and address allegations of misuse of gender specific laws?
3. What are the social, psychological, and legal consequences of false or malicious cases on men and their families?
4. What legal reforms or safeguards could ensure a balance between protectingof gender-specific laws in India women from genuine harm and safeguarding men's rights from wrongful prosecution?

XI. RESEARCH HYPOTHESIS

H1: Gender-specific laws, while enacted to protect women, are increasingly vulnerable to misuse, leading to adverse consequences for men.

H2: Existing legal safeguards against false cases are insufficient to protect men's rights effectively.

H3: Judicial interpretation of gender specific laws in India tends to prioritize women's protection, at times limiting safeguards available to men against misuse.

H4: Gender-neutral legal framework could better ensure justice and equality without diluting protection for genuine victims.

X. RESEARCH METHODOLOGY

The present study adopts a doctrinal or analytical research approach, focusing on a critical examination of the abuse of gender-specific laws in India, with particular emphasis on men's rights. It is primarily qualitative in nature and relies on library based and desk research. The research involves a thorough analysis of provisions under constitution, statutory regulations, in the present legal court judgments, and scholarly writings. It is descriptive, analytical, and evaluative, aiming to identify gaps in the present legal framework, assess the impact of gender-specific protections on men, and propose policy reforms to provide a more balanced and gender-neutral approach to justice.

XI. SCOPE AND LIMITATION

SCOPE

This study analyzes legal provisions mainly intended to safeguard women, the patterns and consequences of their misuse, and resulting effects on men's social, legal and psychological wellbeing. It further examines judicial interpretations, policy perspectives, and offers recommendations for a more gender neutral approach, with the goal of contributing to legal reforms and promoting balanced gender justice

LIMITATION

The study primarily examines the Indian Legal framework concerning gender-specific laws and men's rights, with limited comparative references to jurisdictions such as the UK, USA, and Canada. It is based entirely on doctrinal and desk-based analysis, without involving field

surveys or primary data collection. Consequently, the findings are confined to existing legal materials and secondary sources.

XII. EXPECTED OUTCOME

The study is expected to ensure a critical understanding of the abuse of gender-specific laws in India and its implications for men's rights. It will highlight the adverse effects of false allegations, such as psychological trauma, social stigma, financial strain, and violation of fundamental rights, while exposing the inadequacy of existing safeguards against misuse. Through analysis of statutory provisions and judicial pronouncements, the research will identify key gaps and inconsistencies in the current legal framework.

Further, by incorporating comparative perspectives and international best practices, the research is anticipated to propose practical reforms aimed at fostering a gender-neutral and balanced system of justice. The findings will contribute to the academic discourse on gender justice, broaden the scope of men's rights in legal scholarship, and offer important guidance to policymakers and legal practitioners to ensure fairness, equality, and protection for all genders without undermining safeguards for genuine victims.

XIII. RESEARCH TIMELINE

Phase I (Months 1-6):

Extensive literature survey, identification of research gaps, formulation of research problem, objectives, and preparation of synopsis.

Phase II (Months 7-12):

Conceptual and theoretical study focusing on historical background, constitutional foundations, and international perspectives.

Phase III (Months 13-20):

Doctrinal and analytical study of the Indian legal system, together with judicial trends and case studies.

Phase IV (Months 21-26):

Examination of socio legal challenges, societal perceptions, misuse of laws, role of enforcement agencies and policy gaps.

Phase V (Months 27-32):

Compilation and synthesis of research, findings, analysis, and formulation of recommendations.

Phase VI (Months 33-36):

Final proofreading, editing, incorporation of feedback, publication of research papers, and submission of thesis.

XIV. BIBLOGRAPHY

1. Agarwal, V. (2022). Invisible Male Victims of Harassment in Urban India. Journal of Socio-Legal Studies.
2. Ali, F. (2023). Critical Study of POSH Act's Gender Specificity. Journal of Gender and Law.
3. Anushka. (2025). Gender Bias in Domestic Violence Laws: Are Men Adequately Protected? Indian Journal of Family Studies.
4. Bajpai, N., & Panda, V. (2024). Offences against Men in Contemporary Indian Society. IJLMH.
5. Banerjee, A. (2022). Article 14 and the Case for Gender Neutral Laws. Indian Law Review.
6. Basu, S. (2016). Evaluation of Gender Specific Laws. Socio-Legal Critique Journal.
7. Bhatnager, R. (2023). Male Domestic Violence. IJLMH.
8. Bharti, A., & Pandey, A. (2025). An Examination of Gender Bias in Indian Laws. IJLR.
9. Chandra, P. (2022). Media Representations of Male Victimization. Journal of Media & Law.
10. Chandra, P. (2022). Male Victimization in Workplace and Society. Indian Journal of Social Policy.
11. Chakraborty, A. (2020). Emotional Suppression and Masculinity. Journal of Psychology and Society.
12. Chowdhury, R. (2014). Men's Rights Movements in India. Indian Journal of Social Movements.
13. Fernandez, J. (2022). International Best Practices in Domestic Violence Laws. Comparative Law Journal.
14. Fitri, T. A. (2021). Indian Activism for Men's Rights. International Journal of Social Science Research.
15. Hussain, R. (2022). Impact of Gender-Specific Laws on Male Suicide Rates. Indian Journal of Criminology.
16. ICRW & UNFPA. (2014). Masculinity, Intimate Partner Violence and Son Preference.

17. ICRW & Nirantar. (2012). India Studies in Masculinity.
18. Jaiswal, A. (2024). Custody and Maintenance Reforms. SSRN.
19. Kaur, N. (2024). Domestic Violence against Males. Legal Research Paper.
20. Kaur, N., & Gulati, S. (2024). Domestic Violence against Men in India: A Socio-Legal Critique. SIJSS.
21. Kaur, S., & Kaushal, K. (2024). Cruelty against Men in India. Journal of Family and Adoption Law.
22. Kapoor, T. (2022). Masculinity, Stigma, and Underreporting of Abuse. Journal of Psychology.
23. Kumar, P., & Rawat, R. (2023). Comparative Frameworks and Domestic Violence. Review of Indian Law.
24. Malik, S., et al. (2019). Domestic Violence against Men. Public Health Journal.
25. Menon, S. (2022). The Role of NGOs in Advocating for Men's Rights. Indian Journal of Social Work.
26. Mohanty, S., & Mohanty, M. (2024). Male Victims of Domestic Violence in India: In Quest of Justice. Indian Journal of Gender Studies.
27. Patel, D. (2023). Gendered Application of Maintenance Laws in India. Family Law Journal.
28. Prakash, R. (2022). Education and Reconstructing Masculinity. Policy Research Journal.
29. Roy, S., & Mehta, R. (2023). False Allegation and Judicial Response under Section 85 BNS. Criminal Law Review.
30. Sharma, P. (2024). Gender Bias in Custody Battles in Indian Family Courts. Journal of Law and Society.
31. Singh, M. (2025). Misuse of Women Protection Laws against Men in India. IJLR.
32. Singh, R. (2025). Rethinking Gender Neutrality in Indian Criminal Jurisprudence. Indian Journal of Criminology.
33. Vashishtha, C., & Singh, R. (2025). Domestic Violence against Men: A Mixed Study from India. Journal of Social and Legal Research.
34. De Sousa, D. (2022). The Need for Gender Neutral Domestic Violence Law. Journal of Comparative Fam.

s